

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:

VITO CANGEMI,  
JEANETTE CANGEMI  
Debtors.

CHAPTER 13  
CASE NO. 10-56614-PJS  
JUDGE PHILLIP J SHEFFERLY

**TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN**

**NOW COMES** the Chapter 13 Trustee, Krispen S. Carroll, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E. D. Mich. LBR 3015-3(a) as follows:

1. The Trustee objects to the omission of a Payment Order pursuant to E. D. Mich. LBR 1007-1(c).
2. As debtor has failed to timely commence payments, the Trustee requests a future default provision within debtor's Order Confirming Plan requiring debtor to remit payments timely. Should the debtor fail to remit timely payments the Trustee need only provide a Notice of Default providing debtor with 30 days to cure any delinquent payments, otherwise, the case would be dismissed without hearing upon the Trustee's affidavit.
3. Trustee requests documentation of the loan balance and payoff date for debtor's 401(k) loan.
4. Trustee objects to debtor's valuation of the primary residence in the amount of \$0.00. Trustee requires a copy of the property tax bill including State Equalized Value.
5. Trustee requires an affidavit regarding mother's contributions in the amount of \$960.00 per month as listed on Schedule I.
6. Trustee requests verification of debtor's(s') rental income in the amount of \$772.00 per month. Trustee requires the verification to be received by the Trustee immediately.
7. The value of property to be distributed under the Plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate of the debtor(s) were liquidated under Chapter 7, contrary to 11 U.S.C. 1325(a)(4).
8. Trustee requires an update as to the status of debtor husband's employment at confirmation.

**WHEREFORE**, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtors' Chapter 13 Plan.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT  
Krispen S. Carroll, Chapter 13 Trustee

July 7, 2010

/s/ Maria Gotsis

KRISPEN S. CARROLL (P49817)  
MARGARET CONTI SCHMIDT (P42945)  
MARIA GOTSISS (P67107)  
719 Griswold Street  
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**CERTIFICATE OF MAILING**

I hereby certify that on the date indicated below, I electronically filed **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

FRANK INDUSTRIES PLLC  
117 W 4TH STREET  
SUITE 201  
ROYAL OAK, MI 48067-0000

and I hereby certify that I have mailed by United States Postal Service the above mentioned documents to the following non-ECF participants:

VITO CANGEMI  
JEANETTE CANGEMI  
51251 HOOK DR  
MACOMB, MI 48042-0000

July 9, 2010

/s/ Barbara A. Ecclestone

Barbara A. Ecclestone  
For the Office of the Chapter 13 Trustee-Detroit  
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Detroit, MI 48226  
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